

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6923 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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AMIRUNISSA HASANBHAI

Versus

STATE OF GUJARAT

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Appearance:

MR PJ VYAS for Petitioners  
MS PS PARMAR ADD.GOVERNMENT PLEADER  
for Respondent No. 1, 2

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CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 30/09/96

ORAL JUDGEMENT

The petitioner prays for issuance of a writ of mandamus or any other appropriate writ, order or direction, directing otherside to dispose of his case at the earliest or latest by the end of six months from today.

2. The petitioner filed necessary Form No.1 under Sec.6 of the Urban Land Ceiling Act and thereafter undergoing necessary formalities, the authority on 29th October 1988 declared his land to be excess vacant land. Hence appeal was preferred before the Urban Land Tribunal. The Tribunal, on 31st July 1990 dismissed the appeal. Thereafter, Special Civil Application No. 8514 of 1990 was preferred before the High Court which came to be allowed on 2nd May 1994 and the orders of the competent authority and the Tribunal were quashed and set aside and matter was remanded for disposal in the light of the observation made by this Court. Thereafter necessary application was preferred on 23rd May 1994 but no action was taken, and therefore, the Hon'ble Revenue Minister was also moved in the matter. The petitioner, thereafter on 15th November 1995, filed the application and the written submissions were also tendered, but the authority did not prefer to dispose of the matter for one or another reason. Quite a long time after hearing was taken on hand. The hearing was over on 30th May 1996 and the matter was adjourned but no final order is yet passed. Hence the present petition has been filed.

3. During the course of the hearing, learned Government Pleader submitted on instruction from the Officer present in the court that because of the pressure of work, this matter could not be attended to but would now be attended immediately soonafter the Bye-Election of the Parliament to be held on 11/10/1996, would be over. As per instruction from the Officer present in the Court, it is also submitted that latest by 30th November 1996, the case of the petitioner would be disposed of. In view of such submission, the petitioner who is present has no objection.

4. In the aforesaid circumstances, the petition is allowed and the respondents are hereby ordered to dispose of the matter of the petitioner on or before 30th November 1996. No order as to costs in the facts and circumstances of the case. Rule is made absolute accordingly.

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